## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

SHERRY L. KEITH,	)
Plaintiff,	) Case No. 1:10CV00003
v.	ORDER
COMMONWEALTH OF	) By: James P. Jones
VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.,	<ul><li>) United States District Judge</li><li>)</li></ul>
Defendants.	) )

No objections having been filed to the Report and Recommendation of the magistrate judge of November 4, 2010 (ECF No. 42), it is **ORDERED** as follows:

- 1. The findings and recommendations of the magistrate judge are ACCEPTED;
- 2. The Motion to Dismiss for Lack of Prosecution (ECF No. 30) is GRANTED;
- 3. The plaintiff's action against the Commonwealth of Virginia

  Department of Corrections is DISMISSED with prejudice; and
- 4. No further claims remaining, the Clerk is directed to close the case.

/s/ JAMES P. JONES
United States District Judge

ENTER: December 6, 2010